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October 13, 2022

Honorable Joanna Seybert
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 28 2022 ★

LONG ISLAND OFFICE

Re: USA v. David Corwin
2:21-CR-00218 JS

Dear Judge Seybert:

As you know I represent David Corwin in the above captioned criminal action. Procedurally, Mr. Corwin was arrested on March 24, 2021, via criminal complaint, arraigned before Judge Lindsay and released on a bond, placed under house arrest and electronic monitoring that same day. *See* DE 7. The terms of Mr. Corwin's bond included:

1. \$300,000 secured bond, co-signed by his brother Kirby Corwin;
2. Report to Pretrial Services as directed;
3. Travel restricted to the Eastern District of New York;
4. Surrender passport and do not re-apply;
5. Subject to random home and/or employment visits;
6. Home Incarceration with location monitoring with leave for court appearances, attorney visits, medical appointments, and grocery shopping;
7. The defendant is permitted to have access to one internet accessible device to be monitored by Pretrial Services and the defendant shall not be permitted to access Instagram and the list can be added to as the government obtains further evidence;
8. No contact with anyone under the age of 18-either in person or any other means;
9. The defendant must reside at 639 Main St, Greenport, NY
10. The defendant shall avoid areas frequented by minors such as schools, parks, playgrounds, fast food restaurants near schools and arcades;
11. The defendant must undergo a mental health evaluation specific to the offense charged, as directed by Pretrial Services;
12. The defendant shall not possess any firearms, dangerous weapons, or destructive devices;
13. The US Pretrial Services Agency may inspect any computer or device with internet access, data and storage media devices, and/or external hard devices belonging to the defendant or located within the residence or privately-owned business and install computer monitoring software as deemed appropriate. The defendant must pay all or part of the cost of the monitoring software installed, subject to his ability to pay, as determined by the U.S. Pretrial Services Agency.

Mr. Corwin was subsequently indicted and charged with two counts-- possession and receipt of child pornography. *See* DE 9. On March 7, 2022, A plea hearing was held before Your Honor and Mr. Corwin plead guilty to count 1 of the indictment, receipt of child pornography. Post plea, I made an oral motion to temporarily modify the conditions of release, on consent of the Government. By electronic Order dated March 8, 2022, Your Honor granted the application temporarily modifying the terms of Mr. Corwin's release as follows. "For a total period of sixty (60) days, the defendant shall be on Home Detention in which the defendant is always restricted to the place of residence except for employment, education, religious services, medical/substance abuse/mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities approved in advance by the Pretrial Serviced Department. During this sixty (60) day period, on even days only, the defendant is allowed to leave his place of residence to go to the adjacent property, located at 640 1st Street, Greenport, New York 11944, from the hours of 12:00 PM to 2:00 PM, to make repairs as necessary. After the sixty (60) day period is completed, the defendant's supervision conditions ..."reverted back to those previously ordered by Magistrate Judge Lindsay. *See* Electronic Order dated 3.8.22, *citing*, DE 7.

The underlying reason for the request is the fact Mr. Corwin seeks periodic access to 640 First Street as owning or managing any property is an ongoing project and 640 First Street, a house over 100 years old, is no exception. Specifically, the 640 First Street chores and maintenance items Mr. Corwin seeks permission to address were submitted to me in two categories and repeated verbatim below:

1. Upstairs New Tenant

- *Orientation of the new tenant (She is scheduled to begin her tenancy on October 15, 2022)
- *Glass fuses instruction
- *Safety instructions-CO 2, fire detectors and fire extinguishers, exits
- *Change locks
- *Explain heating and window draft precautions (fuel oil is \$4.43 per gallon and rising - it is going to be a hard winter)
- *Necessary paperwork

2. Ongoing chores

- *Perform routine maintenance and repairs
- *Clean and change filters and nozzles on oil burners
- *Check fuel tanks
- *Check boilers
- *Check for miscellaneous leaks
- *Make repairs to washers and dryers
- *Roto-root the sewer line (Mr. Corwin has a machine the unclogs the sewer lines from roots, etc., which he performs annually.)
- *Maintain yard
- *Close bulkhead basement door (The tenants tend to forget the exterior door to basement which gets left open and needs to be closed frequently to protect stairs from weather and tenants from falling down the opening. Admonishing them has proved ineffective.)

*Collect rent

The new tenant chores tend to be a short term in period. The ongoing chores are intermittent and never end.

The new tenant is a female in her late twenties with no children. The downstairs tenant has occupied the premises the past ten years and is a female in her forties who resides with her male companion. The couple have no children. Significantly, there are no children living in 640 First Street, and should that fact change, Mr. Corwin will immediately advise this Court through counsel.

Accordingly, Mr. Corwin seeks a slight modification of his bail conditions to permit him to leave his home confinement on notice to, and with the consent of pre-trial services, to permit him to visit 640 First Street, on even days only, from the hours of 12:00 PM to 2:00 PM, to conduct the items listed above, to meet contractors if necessary, make minor repairs himself in certain instances, from the date of this application until the date of his sentencing.

Amanda Sanchez from Pretrial Services, who has been monitoring Mr. Corwin since Mallory Brady's maternity leave, and AUSA Megan Farrell, consent to the instant application.


Respectfully submitted,



Anthony M. Grandinette

AMG/mk
Cc: Counsel via ECF
Amanda Sanchez via Email

SO ORDERED:


/ Joanna Seybert, USDJ
Dated: 10-28-22
Central Islip, NY